

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL No. 2327
THIS DOCUMENT RELATES TO: WAVE 8 CASES ON ATTACHED EXHIBIT A	JOSEPH R. GOODWIN U.S. DISTRICT JUDGE

**PLAINTIFFS' DAUBERT MOTION TO EXCLUDE OR, IN THE ALTERNATIVE, TO
LIMIT THE OPINIONS AND TESTIMONY OF DEBRA FROMER, M.D.**

COMES NOW Plaintiffs in actions listed on attached Exhibit A, by and through the undersigned attorneys, and files this Plaintiffs' *Daubert* Motion to exclude or, in the alternative, to limit the opinions and testimony of Debra Fromer, M.D. and would respectfully show the Court that Dr. Fromer should be excluded for the following reasons:

1. Dr. Fromer is unqualified to offer general opinions on warnings and her opinions based on her recent 2018 publication are unreliable.
2. In support of this motion, Plaintiffs have submitted a memorandum of law and also rely upon the following attached exhibits:
 1. A true copy of the Wave 8 Gynecare Prolift and Prolift+M General Expert Report of Debra Fromer, M.D. is attached hereto as Exhibit B.
 2. A true copy of the Curriculum Vitae of Debra Fromer, M.D. is attached hereto as Exhibit C.
 3. Memorandum Opinion and Order (Daubert Motion re: Debra Fromer, M.D.) [ECF No. 2702] is attached hereto as Exhibit D.

4. Kirkpatrick DO, et al. Transvaginal Mesh Placement and the Instructions for Use: A Survey of North American Urologists, Urology Practice (2018) is attached hereto attached as Exhibit E.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully request that the Court grant their *Daubert* Motion to Exclude or, In The Alternative, To Limit The Opinions And Testimony Of Debra Fromer, M.D. Additionally, Plaintiffs request all other and further relief to which they may be justly entitled.

Dated: October 18, 2018

Respectfully submitted,

/s/ D. Renee Baggett
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CERTIFICATE OF SERVICE

I hereby certify that I filed the foregoing document on October 18, 2018, using the Court's CM-ECF filing system, thereby sending notice of the filing to all counsel of record in this matter.

/s/ D. Renee Baggett _____

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